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International Court of Justice

OFFICIAL TRANSCRIPT OF THE INTERNATIONAL MILITARY TRIBUNAL IN THE MATTER OF THE UNITED STATES OF AMERICA, THE FRENCH REPUBLIC, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, AND THE UNION OF SOVIET SOCIALIST REPUBLICS AGAINST HERMANN WILHELM GOERING ET AL, DEFENDANTS, SITTING AT NURNBE GERMANY, ON AUGUST 8 , 1946, 1000-1300 , LORD JUSTICE LAWRENCE PRESIDING.

GEORG KONRAD MORGEN -- Resumed
DIRECT EXAMINATION -- Continued

BY DR. PELCKMANN (Counsel for the SS):

Q. Witness, I have two pictures to show to you which have nothing to do with your examination concerning the concentration camps.

DR. PELCKMANN: They are the same pictures, your Lordship, which I showed to the witness Eisenberger yesterday. They have now received an exhibit number from me, Exhibit SS No. 2 and exhibit SS No. 3. As I said yesterday, they are taken from the book in the Polish language which the Prosecution submitted a few days ago, on pages IX and XI.

BY DR. PELCKMANN:

Q. What is the rank of this SS man, witness.

A. That cannot be an SS man. That man is not wearing an SS uniform. I never saw such a uniform. On the left arm, the man wears the insignia of the police.

Q. That is enough, witness. That is enough for the Court. I will show you the second photograph. Please answer the question equally briefly.

A. That is not an SS uniform either, but an imaginary uniform.

Q. Witness, yesterday you had begun the description of the so-called extermination camps and the system of the extermination camps, but I should like to go back to conditions in the concentration camps which are to be distinguished from the so-called extermination camps.

You had given a description of the impression given by this camp which was extraordinarily pleasant. So that there may be no false impression, will you please describe what the general negative observations were that you made.

A. I was asked for my impressions of the concentration camps, whether I gained the impression that they were extermination camps.

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I had to say tjat this impression could not arise. I did not mean to say that the concentration camps were sanitoria or a paradise for the prisoners. If they had been that, my investigations would have been senseless.

Through these investigations I gained insight into the bad side of the concentration camps. The concentration camps were establishments which, from a false principle had to give rise to crimes. When I speak of the principle, I mean the following : The prisoner was sent to the concentratic camp through the RSHA. A political agency decided about his freedom, and its decision was final. The prisoner was put in a position of having no legal rights. Once in the concentration camp, it was almost impossible to regain his freedom. Although, at regular intervals, the cases were reviewed the procedure was so complicated that aside from exceptional cases the majority were not affected. The camp, the RSHA, and the agency which had assigned the individual to the camp had to agree to his release. Only if these three agencies reached agreement could release be effected.

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Not only the reason for the arrest was considered, but through an ord of the SS Obergruppenfuehrer Pohl, the production side was also important: if a prisoner was needed in the camp because he was good, even though all conditions for release existed, he could not be released. The concentration camps were surrounded by a sphere of secrecy. The prisoner could not have any free contact with the public.

MR. DODD: Mr. President, we do not have the first responsibility, of course, for this defense. But I have discussed with Mr. Elwyn Jones my objection, and he finds no fault with it. It seems to me that what we are hearing here is a lecture on the prosecution's case, and I do not see how it in any sense can be said to be a defense of the SS.

THE PRESIDENT: Dr. Pelckmann. the Tribunal thinks that the latter part of the evidence does not have much bearing on the case of the SS. They think it would be better that you should get on with the case for the SS.

DR. PELCKMANN: The case against the SS is essentially based on the assertion that the SS as a whole is responsible for the concentration camps. I am endeavoring to explain the concentration camp system from the ground up with all questions which have not yet been explained, to find out the truth. And I believe that it is necessary for the Tribunal to know this truth in order to be able to judge whether the charge that the SS as a whole is responsible for the atrocities and the mass exterminations in the concentration camps, or in the extermination camps.

THE PRESIDENT: Kindly go on with your case, then, Dr. Pelckmann, Will you kindly go on and make it as short as you can upon these matters whi seem to be rather remote.

DR. PELCKMANN: From all the testimony of witnesses which I have brought out here on this point, it will be shown that the concentration camp system was a closed system.

THE PRESIDENT: Go on with your case. You are to go on with your case, and not argue with me.

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BY DR. PELCKMANN:

Q. Witness, what were the further negative observations which you made ? Please be brief, as the Court wishes.

A. The prisoner could not contact the public freely, and so his observations were not made known to the public. In effect, he was subordinate to the power of the camp. This meants that he had to fear that at any time crimes could be committed against him. I do not have this impression from these facts, from which I could not gain the impression that their purpose was to produce a system of crimes; but, of necessity, individual crimes had to arise from all these circumstances.

Q. Witness, the events of the atrocities and the mass exterminations in the concentration camps are precisely what was charged against the SS. Ple describe how these crimes are to be divided into three categories, and what that has to do with the total planning of the SS. According to your information, I distinguish between atrocities caused by conditions beyond contro atrocities caused by supreme orders, and atrocities caused by individual criminal acts.

A. A large majority of the horrible conditions in some concentration camps at times did not arise from planning, but developed from circumstance which I must call evil, but for which the local camp leaders were not responsible. I am thinking of the outbreak of epidemics. At irregular intervals many concentration camps became victims of typhus, caused especially by the arrival of prisoners from the Southeastern area. Although everything humanly possible was done to prevent these epidemics and to combat them, the death rate which resulted was sometimes extremely high.

Another evil, was the irregularity in the assignment of prisoners. Many camps were overcrowded. Long transport lines were closed by air-raids and the prisoners arrived in a weakened condition. Towards the end of the war, there was a general collapse of the transportation system. Deliveries could not be carried out to the necessary extent; chemical and pharmaceutical factories had been bombed. There was a lack of medical care. And as a result of the evacuations from the East, the camps, of necessity, had to be overcrowded.

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Q. That is enough on this point. Will you go on to the second point, please ?

A. As supreme orders were considered in the mass extermination of human beings which I have described, not in the concentration camps but in separa extermination places, execution orders of the RSHA against individuals and groups of persons also existed.

Q. Will you go on to the third point, please ?

A. The third point was the majority of individual crimes --

THE PRESIDENT: Which is the witness talking about when he talks abou extermination camps ?

Which are you talking about ? Which do you call extermination camps ?

BY DR. PELCKMANN:

Q. Please answer the question, witness.

A. By extermination camps I mean those which dealt exclusively with the purpose of the extermination of human beings with the use of technical means, such as gas.

THE PRESIDENT: Which were they ?

THE WITNESS: Yesterday I described the four plans of the Criminal Commission, WIRT, and referred to the camp Auschwitz. By "Extermination Camp Auschwitz" I did not mean the concentration camp. It did not exist there. But I meant a separate extermination camp near Auschwitz.

THE PRESIDENT: What were the other ones ?

THE WITNESS: I do not know of any other extermination camps.

BY DR. PELCKMANN:

Q. You were speaking of atrocities on the basis of individual acts of a criminal nature.

A. One must distinguish between the perpetrators. To begin with, there were killings by one prisoner of another, for example, for purposes of revenge. If a prisoner had broken out, then during the search, because one did not know where the prisoner was hiding -- perhaps in the camp itself -- the whole camp had to line up on the parade grounds. That lasted for hours,

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and sometimes a whole day. The prisoners were tired and hungry, and this long standing, sometimes in the cold or rain, excited them very much, so that when the prisoner was recaptured the other prisoners sometimes killed him out of motives of revenge.

There were many cases in which prisoners had the impression that one of them was spy. In self-defense an attempt was made to kill this prisoner. There were cases in which individual prisoners were weak and could not work very well, and, in addition, either by bad conduct or by stealing bread or by other things, aroused the anger of other prisoners.

If one considers that a large part of the prisoners were professional criminals, he can understand that these people killed fellow prisoners. This was done in many ways.

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Q I don't think you need explain that at the moment. Perhaps we may come back to it. But will you describe another type of perpetrator?

A Now I speak of killings committed by members of the camp against prisone especially by the Kapos. I could describe the case of the commandant of the concentration camp Buchenwald, who was tried and executed, Koch. A prisoner was sent to the concentration camp Buchenwald who was a Party member. He received the position of leader of a Corps. He misused this position to force Polish household employees to comit perverse actions with him with a threat of dismissa although he himself was suffering with syphilis. This man was given a long imprisnment sentence and after that was assingned to the concentration camp. Koch found his files, considered the sentence mistaken, and thought it necessary to correct an error of justice. He had this prisoner killed. Another case of an entirely different sort: Koch believed that a certain Jewish prisoner, who was conspicuous because of his physical marks, was following him. In the superstitious fear of bad lick, he one day gave instructions to have this prisoner killed. Another case: Koch believed that criminal activity, or certain personal relationships, were known to some prisoners. In order to protect himself, he had them killed.

Q What was the possibility of these killings and could the other inmates of the camp know about them?

A That was very simple. The prisoners in question were held up, without giving reasons, and had to report to gates of the camp. That was not especially noticeable because almost every hour prisoners were called for questioning for removal to other camps and so forth. These prisnoners, without the other prisoners knowing about it, came to the so-called Kommandantur prison, which was outside the camp. They stayed there a few days, sometimes one or two weeks, and then the prison mannager had them killed, sometimes in the form of a sham innoculation: actually, they were given an injection of phenol into the arteries. Another possibility of secret killing was the assignment to the hospital. The doctor said a man needed treatment. After sometime he was put into a single room and was killed there. In all these cases the record showed that the prisoner had died of such and such a normal illness. Another case: the prisoner was assigned to a detail of hard work, generally the so-called "Quarry detail". The Kapo of this

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detail was told to make the life of the prisoner hard by making his work harder and persecuting him in all ways. Then one day the prisoner, in order to escape this persecution, runs away and has to be shot by the guard whether he wants to or not. These various forms of killing varied from case to case. By that very fac they were so unrecognizable because it took place in secret places by various methods at various times. This commandant who did this, like Kock here, had to r rely on certain special men in key positions, such as the doctors here who was arrested, the man in charge of the prison who was also arrested, the man in charge of the prison who was also arrested and committed suicide, and with the aid of Kapos who were devoted to him and who would cooperate with him. Where this cooperation was not possible, such excesses and crimes could not occur.

Q Did you find such cases and such camps?

A Yes. I have already mentioned as result of our investigation. Since the majority of the camps were set up during the war with new personnel and in the old camps the personnel in key positions was changed so that new people came in, this cooperation could no longer take place.

Q Would it be wrong to assume that all camps and all camp commandants and all camp doctors acted in the way you have just described?

A According to my exhaustive investigations, I can only say that this assumption would be completely wrong. I met many commandants who did everything humanly possible for their prisoners. I met doctors whose every effort was to help sick prisoners and prevent further sickness.

Q We will go back to the mass exterminations, one case of which you described. You spoke of Kriminalkommissar Wirt. who was not a member of the SS and whose staff did not consist of SS men. Why was Wirt given the assignment?

A Wirt was Kriminalkommissar with the Criminal Police in Stuttgart. He was a Kommissar to investigate capital crimes, particularly murder. He had quite a reputation in tracing clues, and before the seizure of power he was known to the general public fo unscrupulous methods of investigation which even led to a discussion in the Wuerthemberg Landtag (Diet). This man was now used in order to cover up the traces of these mass killings. It was thought that, on the basis of his previous experience, this man was unscrupulous enough to carry them out, and that was true.

Q You mentioned the Jewish prisoners who aided in the killings. What became

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of these people?

A Wirt told me that at the end of the actions he had these prisoners shot and the profits which he had let them have was taken away from them again. He did not do this all at once but through the deception manuever already describe by taking individuals and groups gradually, segregating them and killing them individually.

Q Did you hear from Wirt the name Hoess?

A Yes. Wirt called him an untalented student.

Q Why?

A In contrast to Wirt, Hoess used entirely different methods. I would best describe them if we speak of Auschwitz itself.

Q Was the name Eichmann mentioned at that time?

A I cannot remember that the name Eichmann was mentioned at that time, but later I heard of him too.

Q How did you come on the trail which led to Auschwitz?

A I had the first occasion through Wirt himself. Now I had to find a reason to institute investigations in Auschwitz itself. My assignment was limited; it was to investigate crimes of corruption.

THE PRESIDENT: Dr. Pelckmann, didn't he explain how he came to investigate Auschwitz yesterday?

DR. PELCKMANN: No, it is something different, Your Lordship.

THE WITNESS: Yesterday I spoke only of Lublin and Wirt. I said I received information about Hoess and wanted to get into the camp and needed a reason. I found this reason very soon. The Protectorate Police had heard about the smuggling of gold in the Protectorate. The traces led to Berlin. The customs agency, Berlin-Branenburg, had discovered persons in the concentration camp Auschwitz were responsible. Proceedings were turned over to the SS and Police Court in Berlin. I learned of it there and these proceedings concerning the enormous gold smuggling I took over and went to Auschwitz.

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Q Then you were in Auschwitz proper?

A Yes, I went to Auschwitz.

THE PRESIDENT: When did you go there?

THE WITNESS: I cannot give thedate exactly, but it was probably the end of 1943 or the beginning of 1944.

BY DR. PELCKMANN:

Q The extermination there was probably similar to the one you described yesterday?

A I investigated the whole thing thoroughly and studied the arrangement. The prisoners arrived in closed, railroad transports and were unloaded there by Jewish prisoners. Then they were sorted out according to those capable or incapable of working, and here the methods of Hoess and Wirt differed. The selection of those incapable of all work was done in a fairly simple way. There were several trucks and the doctor told the arrivals to use the trucks. He said that only six old persons and women with children, were allowed to use them. Thesepersons went to the transports and then they needed only to tell the prisoners th at they were not being sent to destruction. These trucks drove off but they did not drive to the concentration camp Auschwitz, but in another direction to the extermination camp Monowitz which was a few kilometers away. This extermination camp consisted of a number of crematoriums. They were not recognizable as such from the outside. They could be considered large bathing establishments. This was told to the prisoner. Each crematorium was surrounded by a barbed wire fence and was guarded by the Jewish details which I have already mentioned. The prisoners were led into a big room and told to take their clothing off. When this was done ....

Q Is that not what you described yesterday?

A Very well.

Q What precautions were taken to keep these things secret, absolutely secret?

A The prisoners who marched to the concentration camp had no way of knowing where the other prisoners were being taken or that they were being taken to the extermination camp Monowitz which was far from the camp of Auschwitz.

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Q Please speak slowly.

A It was in an extensively industrial area and was not recognizable as such. It was guarded on the outside by special troops, men from the Baltics, Estonians, Lithuanians, Latvians, and Ukranians. The technical arrangement was, of course, exclusively in the hands of the prisoners themselves, supervised by an Unterfuehrer. The letting in of the gas was done by another Unterfuehrer. The number of those who knew about these things was extremely limited.

EXAMINATION BY THE COURT

BY THE PRESIDENT:

Q Were these Unterfuehrers in the SS?

A They wore SS uniforms.

Q Didn't you take the trouble to ascertain whether they were proper members of the SS?

A I have already said that they were members ...

Q I do not care what you have already said. What I asked you was, didn't you take the trouble to ascertain whether they were members of the SS?

A I beg your pardon, your Lordship. I did not understand your question.

They could not be members of the General SS. As far as I could learn, they were volunteers and draftees who had been recruited in the Baltic countries and who carried out security tasks and were especially selected and came to Auschwitz and Monowitz. These were special troops who had only this special task and no other. They were completely outside of the Waffen SS.

Q I didn't ask you if they were in the Waffen SS. Did you ask questions as to why they were put into SS uniforms?

A No, I did not ask these questions. It seemed incomprehensible to me. It is probably connected with the fact that the Commander of the concentration camp ....

Q Wait a minute. You said, as I understand it, thatyou considered it incomprehensible why they wore the SS uniforms. Didn't you say that?

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A Yes.

Q Were there no officers of the SS there at all?

A One officer, the commandant of this camp, I believe a Hauptsturmfuehrer Hartenstein, or something like that.

Q Why didn't you ask him why these men were put into SS uniforms?

A The direction of the extermination camp was under the direction of the SS Standartenfuehrer Hoess. Hoess was commandant of the concentration camp Auschwitz, and also of the extermination camp, Monowitz. Around Auschwitz were a number of labor camps.

Q I didn't ask you where. What I am asking you is why you didn't ask these two SS officers why they allowed these men to be put into SS uniforms?

A I assumed that this was done for camouflage reasons so that this extermination camp would not be distinguished from the other labor camps and the concentration camp itself. It was incomprehensible to me that this was done to the reputation of the SS which had nothing to do with the extermination.

Q You yourself were a higher SS officer, were you not?

A I was Sturmbannfuehrer of the Waffen SS.

Q Well, what I am asking you is this. Why, in those circumstances, you made no inquiry about it, and why you didn't ask these SS officers there, 'What is the meaning of these men being put into SS uniforms'?

A I did not understand the question.

THE PRESIDENT: Go on.

DIRECT EXAMINATION - Continued

BY DR. FELCKMANN:

Q Witness, I should like to ask you the question myself. Why did you not ask the higher SS leaders whom you met there why these men, these people, were working in SS uniforms?

A I said that I had the impression that this was done for reasons of camouflage so that the camp would not be distinguished from the other camps.

Q This explanation which you gave yourself is the reason why you did not make inquiry of the officers, is that true?

A I cannot remember having asked the officers about it. I did not speak to officers but only to the commandant Hoess and the commandant of

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the guards -- these guards of the extermination camp.

Q Have you described everything?

THE PRESIDENT: Go on.

BY DR. PELCKMANN:

Q Have you said everything in answer to the question as to why secrecy was secured?

A One essential thing is to be mentioned. Certain Jewishpeople with connedtions abroad were kept under especially good circumstances and allowed to write letters abroad concerning how well off they were in Auschwitz so that the public got the impression that these we know are alive and well off.

Q Thank you. Now, witness, under normal circumstances what would you have had to do after you had learned of all these things?

A Under normal circumstances I would have had to have Kriminal-kommissar Wirt and Kommandant Hoess arrested and charged with murder.

Q Did you do that?

A No.

Q Why not?

A The answer is shown by the question. In Germany the war, circumstances were no longer normal in a sense of legal guarantee. In addition, the following must be considered. I was not only a judge, but I was a judge of military penal law. No court martial in the world would judge an Army commander or the head of the State.

Q Please do not discuss law, but tell us why you did not do what you realized you should have done?

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A. I beg your pardon. I was saying that it was not possible for me as an Obersturmfuehrer to arrest Hitler, who was the instigator of these orders.

Q. When what did you do ?

A. On the basis of this knowledge, I realized that here something had to be done. A stop had to be put to this action. Hitler had to be induced to withdraw his orders. Under the circumstances, this could be done only by Himmler as Minister of the Interior and Minister of the Police. I therefore endeavored and thought at the time to approach Himmler throug h the heads of the departments and through the effects of this system, make it clear to him, that through these methods the state was being led to destruction. I approached my immediate superior, the head of the Criminal Police, SS Obergruppenfuehrer Nebe; then I turned to the head of the SS, Obergruppenfuehrer Breithaupt. I also approached Kaltenbrunner, Gruppenfuehrer Mueller of the Gestapo, Gruppenfuehrer Pohl of the WVHA, and the SS Reichsarzt, Dr. Grawitz, but aside from this necessity of taking steps, I saw a practical way open to me by way of justice; that is, to have the spies and the important members of this system taken out one after another through the means available to the system itself. I could not do this because of the killings ordered by the head of the state but I could do it for killings outside of this order or against this order or for other serious crimes and for that reason, I had these men prosecuted and this system woul have been broken up but this affair had a long-range effect -- through the big concentration camp trials against Commandant Koch, of whom I spoke, and against the head of the political section at Auschwitz -- Criminal Untersturmfuehrer Grabner whom I charged with murder in two thousand cases outside of this action. The whole killing complex had to be brought to judicial condition. It was to be suspected, because of these individual crimes, the perpetrators would refer to higher orders. This occurred; thereupon the SS Corps, on the basis of the material which I supplied, it approached the head of the government and officially asked "Did you order these killing. Is the legal murder no longer valid ? What orders are there concerning these killings "? Then the supreme head of the state has to denounce

these perpetrators and leaves them open to prosecution for the mass extermi-nations as well or else an open break would have to occur, by putting the whole judicial system out of force. On the basis of the trials, in Weimar against Koch and Grabner, this problem became acute and these problem were officially asked of the RSHA, as I had foreseen. For this purpose a judge was sent, who had the assignment to investigate in all sections of the RSHA, to see whether such orders were in existence. As I heard, the result was negative. Thereupon, an attempt was made to take steps against Hoess and another but in the meantime, Auschwitz was occupied -- the judge who had been sent there had to stop his investi ations and in January 1945 complete disorganization arose which made further prosecution impossible. If I may go back, the immediate effects of the judicial investiagtion were that in all concentration camps the killing of prisoners by so called "Euthanasia" stopped immediately, because no doctor could feel sure that he would not be arrested on the next day. The example of the doctor of Buchenwald was potent in the minds of all. I am convinced that through this procedure the lives of thousands of prisoners were saved. The killing system itself was severely shaken; but it is noteworthy that shortly after I first approached Kriminalkommissar Wirt, on my second visit to Lublin, I did not find him there. I learned that in the meantime Wirt had received orders to destroy all his extermination camps. He had gone to Istria in the Dalmatian Peninsula, and was guarding streets there. In May 1944 he was killed. When I heard that Wirt and his command had left Lublin I flew there in order to find out whether he was merely transferring his field of activity but that was not ture.

Q. In all these investigations, witness, were you in danger of your life

A. It was clear that the discovery of these horrible crimes was extremely unpleasant to those responsible for them. I knew that a human life meant nothing to these people and that they were ready for anything. As proof, I may cite the following : After I had arrested Grabner, the head of the political section in Auschwitz --

THE PRESIDENT: You aren't forgetting that you said you were going to take forty-five minutes with this witness, are you, Dr. Pelckmann ?

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DR. PELCKAMNN: I have not forgotten, your Lordship. I regret greatly that it has taken longer, but I believe that it is necessary to inform the Court about these matters.

THE PRESIDENT: It seems of very little importance whether this man was in danger of his life or not.

DR. PELCKMANN: From the point of view of the defense, your Lordship, I am of a different opinion, for the circumstances and the possibilities of opposing this system and for (1) the decision of the Court of the 13 th of March; and (2) compulsion and order of decisive importance.

THE PRESIDENT: Go on, Dr. Pelckmann. The Tribunal does not think it is important.

THE WITNESS: May I say one more sentence on that subject ? The investigating commission of the Reich Criminal Police office at Auschwitz was quartered in barracks and after it worked with success for sometime, unknown persons at night destroyed the whole barracks with all the documents by fire The investigations were interrupted and made difficult for some time. You may see from that how ruthless was the opposition to us. I, myself, received enough warnings and threats but whether I was actually in danger of my life, I cannot say.

BY DR. PELCKMANN:

Q. Did the directing personnel of the camp at Auschwitz give reasons for the assumption that they knew of these exterminations ? If I understood you correctly, the concentration camp Auschwitz, with its many labor camps, had nothing to do with and was separate from the extermination camp ?

A. As I have already said, Hoess was simultaneously commandant of Auschwitz and Monowitz, he is to be considered the directing person aside from one fuhrer of the troops in Monowitz. I dealt with these two and these two knew about it.

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Q. Did you speak to the doctor of the concentration camp Auschwitz ?

A. Yes. When I arrived, the doctor showed me the mortality figures. He pointed out that from the beginning of his transfer to Auschwitz, these figures had gone down so extensively through extensive precautionary measure He also gave me the leads to Grabner. Grabner had suggested to him to kill pregnant Polish women. The doctor had considered that irreconcilable with his professional ethics. Then Grabner had said that he did not realize the importance of his, Grabner's tasks. The doctor did not give in. A quarrel arose. Neither Hoess nor Grawitz said anything. This doctor at the moment when I met him by accident, was in a conflict and said "What shall I do " ? I said "What you did, absolute refusal, is quite right and tomorrow I will arrest Grabner".

THE PRESIDENT: What does this have to do with the SS unless the doctor was in the SS; perhaps he was.

DR. PELCKMANN: That is about that norm-- that the doctors were SS doctors and the witness is describing how an SS doctor in this concentration camp Auschwitz opposed the suggestion of Grabner. He is describing that as a typical case.

THE PRESIDENT: Dr. Pelckmann, the Tribunal thinks you have been quite long enough over this witness. You are going into matters too much in detail.

BY DR. PELCKMANN:

Q. You said that you had reported to the various agencies. Please describe how Nebe reacted; how did Breithaupt react; what did Kaltenbrunner say; what was Pohl's attitude, and how did the Reich Doctor Grawitz react ?

A. First I reported to my immediate superior, SS Gruppenfuehrer Nebe, as chief. He was a silent man but I could see that his hair stood on end literally when I made my report. He was silent. Then he said "I must immediately report this matter to Kaltenbrunner. The Chief of the Hauptamt SS, Obergurppenfuehrer Briethaupt, also became very much excited. He said that

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would immediately go to see Himmler and report this to him and attempt to have a personal interview with Himmler arranged for me.

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The Reich doctor SS didn't know what to say. Obergruppenfuehrer Pohl took another attitude. Previously, or about the same time, I had had the Kommandant of the Concentration Camp, Herzogenbosch, arrested, who had brought about the death of ten women. When I reported this to Pohl he said this was a "bagatelle". He said, "what does the lives of ten women matter in view of the thousands of German women dying every night from air raids?"

Q Please be more brief on the others.

A After I had also reported to Nebe and Kaltenbrunner on the evidence in the corruption cases - the killing which I discovered was about six months later - I talked to him in the presence of Nebe, Kaltenbrunner, and Mueller. This discussion was one-sided. Kaltenbrunner and Nebe were absolutely silent. Mueller was furious against me. He was raving mad at me, and did not let me speak. When I looked at him, he suddenly jumped up and rushed out of the room and left me alone, while the other two gentlemen turned away from me. In the afternoon I went to see Mueller again and personally told him my point of view once again, but Mueller was absolutely against it. Very much.

THE PRESIDENT : What was the date of this conversation with Kaltenbrunner?

GEORG KONRAD MORGEN : That was immediately after the charge was raised against Grabner. I assume in July or August in 1944.

Q Did you report these things to other circles of the SS

A No. I wanted to inform those people and win them over to my point of view, they who really had something to say. Nothing else. In addition, through Basic Order Number 1, concerning secrecy and state affairs, I was bound and could only approach the Chief of the main offices of the SS personnel. Any report to other agencies would have had serious results.

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THE PRESIDENT : Doctor Pelckmann, he said he did not report it. Surely that is sufficient. We don't want to know more about it. He did not report. We are not trying the witness.

DR. PELCKMANN : I believe it is a mistake, if I understand it correctly, your Lordship. He said he did report it.

THE PRESIDENT : He said he made no other report, as I understood it, except this that he has spoken of.

Q Witness, will you comment on that?

A That is true. Aside from the Chief of the main office of the SS, no one else was reported.

Q Did you not consider it your duty to inform the public or to cry "murder"?

A I would have needed access to technical means, the press and radio, which I did not have. If I announced that to the world from many street corners, no one would have believed it because this system was beyond human imagination. I would have been locked up as insane.

Q The Concentration Camp at Dachau was here described as a pure extermination camp by the prosecution and by the witnesses. Is that true?

A I believe the Concentration Camp Dachau, from my investigation from May to July 1944, I believe that I know it rather well. I must say that I had the opposite impression. The Concentration Camp Dachau was always considered a very good camp, a recreation camp among the prisoners, and I actually did gain this impression.

Q Did you see the internal arrangements, the hospital, and so forth?

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A I examined all these facilities carefully, and I must say the hospital was in excellent order. I went through all the wards. There was no overcrowding. The amount of medical instruments was astonishing, which were at the service of the prisoners.

Q That's enough. You want to say that conditions were good? That you are in contradiction to the testimony of the witness, Doctor Blaha, which was made here. Do you know his Testimony?

A I read the testimony of Doctor Blaha in the press and had another opportunity to look through the record of the trial. I must say that this testimony surprises me greatly. I am of the opinion that Blaha, from his own knowledge, cannot make such statements. A prisoner in a Concentration Camp cannot move about freely and cannot have access.

THE PRESIDENT : The Tribunal thinks he can say I disagrees with the evidence of Blaha and not that Blaha was not telling the truth. He disagrees, he said it. We think you might get on. How much more time do you need?

DR. PELCKMANN : 5 minutes, your Lordship.

Q You were just about to say, witness, why you did not agree with the testimon y of Blaha?

THE PRESIDENT : He has given his own evidence about the matter, and he says he is in contradiction with Blaha We don't want further details about it.

DR. PELCKMANN : Mr. President, if I understand correctly, the witness is to give creditable testimony. If he does not say that on such and such points of the testimony of Blaha, I have such and such objection, the prosecution can say he did not comment on it. That is my endeavor. Please instruct me, your Lordship, if I am mistaken.

H0200 – 0023

THE PRESIDENT : He has given his account on the camp at Dachau. The Tribunal has before it the evidence and testimony of Blaha. The Tribunal can see if the evidence is incorrect. That is sufficient.

DR. PELCKMANN : If the Court does not wish it, I will withdraw the question.

Q Will you briefly sum up? I will go on to the next question which is of importance to your credibility. Did you give this testimony once before as you have given it here?

A Yes. I came to Germany after a long time, I heard the CIC was looking for me about my information about Concentration Camps. I reported to the CIC Chief Headquarters Mannheim, 7th Army, and said I was ready to help clear up these crimes. I gave my testimony as I have attempted to do today. I went to the CIC Headquarters, Inspector Oberursel, and after the conclusion of that testimony, I was put in Dachau, together with the accused I had arrested.

Q Do you know the writing, "SS Dachau" which I submitted to the Tribund yesterday, which is Exhibit SS-4? Do you know it? Answer yes or no.

A Yes.

Q On page 46, there is the testimony of a Mrs. M.H. Was this testimony made before you as the investigating Judge?

A Yes, this was a Mrs. Eleanore Hodis from Auschwitz. I questioned her.

Q And did you examine the article and make certain this was the evidence which the woman gave? Yes or no.

A Yes.

Q When was that approximately?

A In the fall of 1944.

Q The testimony is against Hoess?

A Yes.

H0200-0024

Q More proceedings instituted against Hoess?

A Yes. The testimony of Nodis was submitted to Hoess in the original.

Q The testimony concerns conditions in Auschwitz, is that true?

A Yes.

Q It does not concern the situation in Dachau?

A No.

H0200 - 0025

DR. MERKEL: Mr. President, concerning non-participation and ignorance on the part of the Gestapo as far as the mass production is concerned, I should like to be permitted to put three brief questions to this witness.

THE PRESIDENT: You may.

DR. MERKEL: Thank you very much.

BY DR. MERKEL:

Q Witness, if I understood you correctly, the crimes of Kriminalkommissar in Lublin were discovered because of a report of the Security Police in Lublin. In this way was the security police in Lublin responsible for participating in this crime?

A No. I did not understand that.

Q The witness Hess stated the camps at Treblinka and Majdanek were under the supervision of the Security Police. Is that correct?

A I know nothing about that. Wirt pictured the situation to me. I believe the name Treblinka was mentioned in that connection.

Q According to your conviction, this camp as well was under Wirt?

A I assumed that.

Q Did you wish to execute an order to prosecute Eichmann?

A I asked the Court at Berlin to investigate Eichammnn on the basis of my report. The SS Court in Berlin, thereupon, advised the Chief of the RSHA, that was Kaltenbrunner, to submit an order to intern him. Dr. Bachmann, the SS Judge in Berlin, reported to me that on the submission of this matter, rather dramatic incidents took place. Kaltenbrunner immediately called in Mueller, and now the judge was told that was notto be considered in any event for Eichmmnn was carrying out a speical secret task entrusted to him by the Fuehrer in a mission of utmost importance.

Q When was that?

A That was in the middle of 1942.

DR. MERKEL: Mr. President, I have no further questions to put to this witness.

DR. GAWLIK: On behalf of the SD, Your Lordship, may I be permitted to put a few questions, please?

H0200 - 0026

THE PRESIDENT: Yes.

BY DR. GAWLIK:

Q Witness, you mentioned the orders of the RSHA. From which offic did those orders come?

A You mean the orders for the mass production?

Q Yes.

A I stated that the jurisdiction --

Q Answer the question briefly, please. Which offices issued thes orders?

A I said that the investigating judge could not set up orders like that, to my knowledge.

Q You mentioned the orders of the RSHA, did you not?

A I mentioned them insofar as the accused Koch and Grabner, because of the killings they committed that they referred to the RSHA and said that these orders would have to be destroyed upon receipt. That was a pure and simple statement. That was the reason why this statement had to be checked and proved.

Q Did you ascertain that the offices, 3, 6, and 7, were in any way participating in these measures in any way?

A I have already testified that the case was handled directly.

Q Can you answer this question with a pure yes or no?

A I could not determine that.

DR. GAWLIK: Thank you very much.

SIR DAVID MAXWELL FYFE: The Prosecution very carefully considers the question of cross examining this witness. We do not accept his evidence as to Buchenwald, Dachau and as to conditions in concentration camps generally. We feel the Tribunal has been shown such an overwhelming amount of evidence including films and exhibits of the consistent pattern of cruelties in the concentration camps, of the smelling chimneys of the Crematoria and of the persons who carried out these actions, that we consider that any further destruction of these matters should be by way of comment and that it would not be right to take up the time of the Tribunal by confronting this witness with the details of that evidence which is so fully in the Tribunal's mind.

H0200 - 0027

THE PRESIDENT: The witnessmay retire.

Is that your case?

DR. HELCKMANN: Yes.

THE PRESIDENT: The Prosecution wants to cross examine the witness Sievers. We will call for Wolfram Sievers.

WOLFRAM SIEVERS, a witness, took the stand and testified as follows:

BY THE PRESIDENT:

Q What is your name?

A Wolfram Sievers.

Q Will you repeat this oath after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated theoath)

THE PRESIDENT: You may sit down.

H0200-0028

CROSS-EXAMINATION

BY MR. ELWYN JONES:

Q You are Wolfram Sievers and from 1935 on you were Reich manager of the Ahnenerbe (Ancestral Hermitage Society), were you not?

A I was the manager and director of the society.

Q You recollect on the 27 June you gave evidence before the Commissioner appointed by this Tribunal?

A Yes.

Q I am referring to page 1925 of the transcript of your evidence before the Commission.

Do you recollect that Dr. Pelckmann, the counsel for the SS, announced that he was calling you to show that this Ahnenerbe did not know of the biological experiments of the group by Dr. Rascher, performed on concentration camp inmates?

A Yes.

Q And do you remember, the record is on page 1932 of the transcript, that when Dr. Pelckmann asked you:

"Did you have any possibility of being on the inside with regard to the relationship or the planning of the methods or carrying out of these scientific research works of the military scientific department" you answered "No"?

A I do recall that.

Q And when I cross-examined you upon your testimony do you recall telling the Commissioner that Himmler and Rascher were very close friends and you did not know exactly what went on? Do you remember that?

A I said that only in general but not in particular. I was informed about these matters.

Q In my final question to you in cross-examination I asked you:

"How many people do you estimate were murdered in connection with Rascher and the other experiments carried out under the guise of Nazi science" and to that question you gave this answer:

"I cannot say because I had no insight into these matters."

Do you remember that on page 1939 of the transcript?

H0200-0029

A Yes indeed.

Q Well now, I want to see whether or not you did have insight into these matters.

Did you ever hear of Professor Hirt's skeleton collection?

A In this connection we are concerned with a matter of anatomy at the University of Strassburg.

Q I asked you did you hear about it?

A Yes, indeed, I did hear of it.

Q You played a very active part in the creation of that collection of skeletons, did you not?

A I did not understand the beginning of the question.

Q You played an active part in the collection of these skeletons?

A No.

Q I want you to look first at the document number 116.

It is an insertion into the Tribunal's document book at page 1901. It follows page 19 in your Lordship's document book. It will be Exhibit GB 573.

Now we shall be able to test your ignorance of this collection. This is a letter from Brandt to the Main Office for the Security of the Reich, dated 6 November, 1942.

Brandt was Himmler's agent, was he not?

A He was his personal expert.

Q Now, this letter --:

"Subject: Organization of a skeleton collection in the Anatomical Institute of Strassburg.

"The Reichsfuehrer SS has ordered that everything necessary for the research work of SS Captain (Hauptsturmfuehrer) Professor Dr. Hirt, who is at the same time director of a branch of the Institute for Military Scientific Researches for Specific Purposes in the Office Ahnenerbe should be placed at his disposal. By order of the Reichsfuehrer SS, I therefore request you to make the organization of the planned skeleton collection possible. The SS Lt. Colonel (Obersturmbannfuehrer) Sievers will contact you for details."

Now, that Sievers is you, is it not?

A Yes indeed.

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Q Were you contacted for details?

A Here we are concerned with the development and building up of a department of anatomy at the University of Strassburg which had been newly taken over and this was a matter or reconstruction of the so-called Anatomical Museum, something quite customary with all universities everywhere.

Q This was just a piece of academic research, was it?

A Yes indeed.

Q Where were you going to get the skeletons from?

A Particulars were to be handled by Professor Hirt.

Q Now just answer my question witness, because you know perfectly well the answer to it.

Where were you going to get those skeletons from?

A They were to be put at our disposal from Auschwitz.

Q Now, I want you to look at a letter in furtherance of Brandt's communication which you sent to Brandt, containing suggestions as to where those skeletons should come from.

It is document number 085, which will be GB 574. It is at page 11 of the document book, my Lord. It is at page 14 and 15 of the German document book.

Now, that is a letter headed "The Ahnenerbe", dated 9 February, 1942, marked "secret". It is addressed to Brandt, Himmler's adjutant. It is your letter, witness, is it not, it is your signature at the bottom of it?

A Yes indeed.

Q I will read it out.

"Dear Comrade Brandt:

"Professor Dr. Hirt's report, which you requested in your letter of 29 December, 1941, is submitted in the enclosure. I was not able to send it to you before because Professor Hirt was taken ill sometime later."

Then there follows details of his illness.

"Because of this Professor Hirt was merely able to write a preliminary report which, however, I should like to submit to you. The report concerns:

"1. His research in the field of microscoping living organs; the discovery of a new method of examination and the construction of a new research microscope.

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"2. His proposal for securing skulls of Jewish-Bolshevik commissars."

Then there is your signature and you forwarded that letter and Professor Hirt's report and his suggestions and this is Hirt's report:

"Subject: Security skulls of Jewish-Bolshevik commissars for the purpose of scientific research at the Reichsuniversity, Strassburg.

"We have a nearly complete collection of skulls of all races and peoples at our disposal. Of the Jewish race, however, only very few specimen of skull are available, with the result that it is impossible to arrive at precise conclusions from examining them. The war in the east now presents us with the opportunity to overcome this deficiency. By procuring the skulls of the Jewish Bolshevik commissars, who represent the prototype of the repulsive, but characteristic subhuman, we have the chance now to obtain a palpable, scientific document.

"The best, practical method for obtaining and collecting this skull material could be handled by directing the Wehrmacht to turn over alive all captured Jewish Bolshevik commissars to the Field Police. The Feldpolizei in turn, is to be given special directives to inform a certain office at regular intervals of the numbers and place of detention of these captured Jews and to give them special close attention and care until a special delegate arrives. This special delegate, who will be in charge of securing the material (a junior physician of the Wehrmacht or even the Feldpolizei or a student of medicine equi pped with a motor car and driver), has the job of taking a series of previously established photographs, anthropological measurements and in addition, has to determine other personal data of the prisoners.

"Following the subsequently induced death of the Jew, whose head should not be damaged, the delegate will separate the head from the body and will forward it to its proper point of destination in a hermetically sealed tin can, especially produced for this purpose and filled with a conserving fluid. Having arrived at the laboratory, the comparison tests and anatomical research on the skull, as well as determination of the race membership of pathological features of the skull form, the form and size of the brain, etc. can proceed. The basis of these studies will be the photos, measurements and other data supplied on the head and finally the tests of the skull itself."

H0200 - 0032

That was the report which you forwarded to Brandt?

A Yes, indeed, that was the report of Professor Hirt.

Q How did the collection of these skeletons from the living proceed?

A I cannot give you the exact details. In previous or earlier interrogations I referred to the fact that as far as this matter is concerned, Professor Hirt would have to be asked himself.

Q Now witness, I want to give you another opportunity of telling the truth.

Are you saying to this Tribunal that you do not know what happened with regard to the progress of that collection of skulls and skeletons?

A That may be seen from the report itself. When persons were put at our disposal this was at the order of Himmler.

Q Who put the actions into operation; did you have anything to do with it, with the collection of the bodies?

A No, nothing at all and I do not know either in what way and in what manner this entire thing arose for direct correspondence and conferences had taken place previously between Himmler and Hirt and these are things I know nothing about.

Q Well now, witness, I have given you an opportunity of protecting yourself from perjury. You have not taken it. Look at the next document number 86, which is on page 13 of the document book. It will be GB 575. That is another of your letters.

H0200-0033

It is another letter of yours, again to Himmler's adjutant. It is marked "Secret". It is dated 2 November 1942. Page 13 of your document book, my Lord.

"As you know, the Reichsfuehrer-SS has directed that SS-Hauptsturmfuhrer Professor Dr. Hirt be supplied with everything needed for his experiments. For certain anthropological experiments -- I already reported to the Reichsfuehrer-SS on them -- 150 skeletons of prisoners or Jews are required, which are to be supplied by the KL Auschwitz. The only thing that remains to be done is that the RSHA receive an official directive from the Reichsfuehrer-SS. This, however, can also be given by you, acting for the Reichsfuehrer-SS".

You had already been discussing this with Himmler, witness, had you not ? You were his agent for collecting these living men to turn them into skeletons ?

A. That does not apply in this way, in this form. The entire matter covered such a long period of time, and I was concerned only with particulars, that I am not able right now in a hurry to reconstruct the entire connection and coherence.

Q. I am sure you are in a hurry to reconstruct them, but I am sure you should . For the second time in regard to this matter you have taken an oath, and I want you to give some indication that you know what an oath means. You are a man of education.

Look at the next document, Number 089, to refresh your memory as to how distand you were from this matter.

It becomes GB 576.

THE PRESIDENT: It came through 089. Do you mean 087 ?

MR. ELWYN JONES: 089, page 16 of your Lordship's document book.

BY MR. ELWYN JONES:

Q. That is a letter from Brandt to the RSHA dated 6 November 1942, marked "Secret". It is for the attention of SS Obersturmbannfuehrer Eichmann of the RSHA. Reference is "Establishment of a collection of skeletons at the Anatomical Institute at Strassburg."

H0200 - 0034

A. Yes.

Q. "The Reichsfuehrer-SS has issued a directive to the effect that Hauptsturmfuehrer Professor Dr. Hirt, who is the director of the Anotomical Institute at Strassburg and the head of a department of the institute for Military Science Research in the Ahnenerbe Society, be furnished with everything he needs for his research work. By order of the Reichsfuehrer SS therefore, I ask you to make possible the establishment of the planned collection. SS-Obersturmbannfuehrer Sievers will get in touch with you with regard to straightening out the details."

Do you still say you know nothing of the details of this matter ?

A. I did not say that, you know. Here we are concerned with the entire historical development of this matter, and in that connection I just can not say from what moment forward this matter started, for that depended on conversations between Himmler and Hirt, and may be traced back to them directly and antedating the date when Hirt became Director of Anatomy at Strassburg University, and in that capacity, had the opportunity and received the task of setting up a modern anatomical department supplied with the necessary modern facilities and collections. Thereupon, Hirt, falling back upon his previous conversations with Himmler, charged me, as may be seen from the report, with helping Hirt in carrying out this matter as charged to him by Himmler, although I do not know whether Himmler himself --

Q. Just a moment, witness. How many human beings were killed to create this collection of skeletons ?

A. Here we are concerned with the figure of 150 people in this report.

Q. That was all you assisted in murdering, was it ?

A. I had nothing to do with the murdering of these people. I purely and simply carried through the function of a mailman.

Q. You were the postoffice, another of these distinguished Nazi postoffice were you ?

A. And now, if you wish to refer, as I gather from yourquestion to my interrogation before the Commission, I must point out that in the interroga-

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tion before the Commission, solely and alone, the group Rascher was under discussion.

Q. I asked you quite clearly when I cross examined you before the Commission -- my final question is on the record at page 1939 of the transcript --"How many people do you estimate were murdered in connection with the Rascher and other experiments carried out under the guise of Nazi science"? and you told me, "I cannot say, because I have no insight into these matters, you know". Fortunately, there are records of what you witnesses say available.

Now, just turn to the next document, number ---

A. Even today I do not know. I can n t fix the dates, and I do not know the number of experimental persons used by Rascher, and therefore I can not tell you that there were a certain number, especially if I do not know.

Q. You swore to that Commissioner that you had no insight into these matters. Turn to document 087, so that your memory may be refreshed.

That will be GB 577. It is page 14 of Your Lordship's document book.

This is another of your letters. It is headed "Ahnenerbe Society, Institute for Military Scientific Research". You were the director of that institute, wer you not ?

A. I was the Reich Business Manager.

Q. This is dated 21 June 1943. It is marked "Top Secret", to the RSHA Department IV B 4, for the attention of SS-Obersturmbannfuehrer Eichmann. "Subject : Establishment of a Collection of Skeletons."

"Referring to your letter of 25 September 1942, and the personal conversations which have since taken place on this subject, I wish to inform you that our associate, SS-Hauptsturmfuehrer Dr. Beger, who was in charge of the above special project, concluded his experiments in the KL Auschwitz on 15 June 1943 because of the existing danger of epidemics.

"Altogether 115 persons were experimented on."

Let me just pause there for a moment. What form of experiments were going on on this human beings with a view to the collection of skeletons ?

H0200 - 0036

What osrt of experiments were they, witness ?

A. Anthropological measurements.

Q. Before they were murdered, they were anthropologically measured ? That was all there was to it, was it ?

A. And casts were taken ?

Q. It does not take very long to make an anthropological measurement or to take a cast, you know, witness. There were some other experiments than measurements and casts carried out on these unfortunate victims of your science, were there not ?

A. I am not familiar with the carrying through of these things. I know only that anthropological measurements were taken, but I do not know how long these measurements took.

Q. I will continue your letter now, which makes it quite clear that there must have been something far more sinister than anthropological measurements.

"Altogether 115 persons were experimented on. 79 were Jews; 30 were Jewesses, 2 were Poles and 4 were Asiatics. At the present tim these prisoners are segregated by sex and are under quarantine in two hospital buildings of KL Auschwitz.

"For the further experimentation on these selected prisoners it will be necessary to have them transferred to the KL Natzweiler. This transfer should be made as speedily as possible because of the existing danger of an epidemic at Auschwitz. A list of the selected people is attached.

"We request that the necessary directives be issued. Since this transfer of prisoners presents a certain amount of danger, such as spreading the epidemic to Natzweiler, we request that immune and clean prisoner suits for 80 men and 30 women be sent from Natzweiler to Auschwitz immediately. At the same time lodgings should be prepared for the women at Natzweiler in the near future."

That is your letter.

If your only interest in these unfortunate people were their anthropological measurements and the securing of their frail bones for skeletons why did you not kill them straightaway ? You must have made experiments on them, the results of which you wanted to discover did you not ?

H0200 - 0037

A. No, I know nothing whatever of experiments, and experiments were not carried on.

Q. What happened to this collection of skeletons ? Where was it assem blated ?

A. They were taken to Natzweiler, and the further treatment was in the hands of Professor Hirt.

Q. After SS Professor Hirt and the other SS men had murdered these people what happened to their bodies ? Where were they sent ?

A. I assume that they came to the Anatomical Department at Strassburg.

H0200-0038

Q Have you any doubt in your mind about that, Witness? You seem to be hesitant about admitting it. Have you any doubt?

A Well, I have seen no reports about that and didn't receive any reports about these matters.

Q Did you have anything to do with the disposal of those skeletons and those bodies ultimately? Did you have anything to do with th e ultimate disposal of those bodies? I appreciate your difficulty in answering the question.

A No. That was in the hands of Professor Hirt. I wasn't at Natzweiler in this connection at all.

Q Did you make any suggestion as to what should happen to the collection at any time?

A There was much later when the question arose, the question dealing with the occupation of Strassburg and the remaining of the collection.

Q What did you do then?

A I believe there was a conference which took place -- I can't exactly tell you with whom it was-- to bring about a decision on the part of Himmler about the whereabouts of the remaining of this collection.

Q Were you present at that conference?

A I did not talk with Himmler about that matter then.

Q Did you make any suggestion as to what should happen and what should be done with the human bodies that you had assembled at Strassburg? Did you have any suggestions to make?

A I can't tell you at this moment. I can't tell you from my memory.

Q Just try to recollect, will you? I'm sure you know, It was 1944. It's not very long ago. I'm sure it must be very vivid in your memory.

A I'm sorry; I can't give you an exact answer because I don't remember.

Q Witness, when the Allied Armies were approaching Strassburg and the day of reckoning was coming for you, what

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suggestion did you make with regard to those bodies in Strassburg Tell the Court.

A I've already said that I sent to Himmler to make a decision as to what was to become of this collection, for here we were concerned with a matter, concerned with conversations, ideas, and methods which resulted from those conversations between Himmler and Hirt, a matter into which I was called or brought because of an administrative and technical development of the matter; and therefore Himmler alone was the only one who could dispose of this matter and say what should be done.

Q I've again given you an opportunity to protect yourself from perjury. Look at the document Number 088 at Page 15; of your Lordship's document book it will be GB-578. This is another of the letters from your personal staff to Brandt, Himmler's adjutant; and it is addressed to the Reichsfuehrer SS Personal Staff Department; and that's the one in Berlin.

A Yes.

Q It was dated the 5th of September, 1944. It is marked "Top Secret." The Allied Armies were advancing towards Strassburg, weren't they, by then?

A Yes, that's correct.

Q The subject is "Re: Collection of Jewish Skeletons." "According to the proposal of 9 February, 1942, and your approval of 23 February, 1942, Professor Dr. Hirt has assembled the skeleton collection which was previously non-existent. Because of the vast amount of scientific research connected therewith, the job of reducing the corpses to skeletons has not yet been completed. Since it might require some time, Hirt requested eighty copies of the directives pertaining to the treatment of the collection stored in the morgue of the Anatomical Institute in case Strassburg should be endangered.

"The collection can be de-fleshed and thereby rendered unidentifiable. This, however, would mean that at least part of the whole work had been done for nothing and that this singular

H0200 - 0040

collection would be lost to science, since it would be impossible to make plaster casts afterwards. The skeleton collection as such is incomspicuous. The flesh parts could be declared as having been left by the French at the time we took over the Anatomical Institute and would be turned over for cremating. Please advise me which of the following three proposals is to be carried out:

"1. The collection as a whole is to be preserved.

"2. The collection is to be dissolved in part.

"3. The collection is to be completely dissolved."

Why were you wanting to de-flesh the bodies, Witness?

A In this connection I must say that this letter was meant to be an inquiry from Professor Hirt to me; and I received it in this way; and it was teleprinted in that form. As I said previously, I could not exactly remember just how far this matter applied to me, for I as a lay person was completely ignorant of it.

Q Why were you suggesting that the blame should be passed on to the French? You knew there was murder in connection with this collection, didn't you? You knew it perfectly well, Witness.

A I just said that I transmitted an inquiry from Professor Hirt; and I explained the matter that I could not put an inquiry of my own in this form, for I as a layman could not handle this matter. I must state that this is an inquiry by Hirt which was transmitted by me.

Q Were you able to carry out the suggestion of the de-fleshing of these bodies?

A I can't tell you anything about that for I can't quite comprehend this matter. I can't quite comprehend it.

Q Happily, again there is a document which indicates the whole story. Just look at it because it is clear that you have no intention of telling the truth, Document Number 091, Exhibit GB-579. There are two notes from Himmler's file. The first note, signed by SS-Hauptsturmfuehrer Berg: "On the 12th of October 1944, I had a telephone conversation with SS-Stand-

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artenfuehrer Sievers and asked him if the Strassburg skeleton collection had been completely dissolved as directed by SS-Standartenfuhrer Baumert. SS-Standartenfuhrer Sievers could not advise me on that matter since he had not as yet heard anything further from Professor Hirt. I told him that in case the dissolution had not yet been carried out, a certain part of the collection should be preserved. However, guarantee should be given that a complete dissolution could be made in time in case the military situation should endanger Strassburg. SS-Standartenfuhrer Sievers promised me that he would find out about it and let me know."

And then the next entry on the 26th of October, 1944, a note from Berg for Dr. Brandt: "During his visit at the Operational HQ on the 21st of October, 1944, SS-Standartenfuhrer Sievers told me that the collection in Strassburg had been completely dissolved in the meantime in conformance with the directive given him at the time. He is of the opinion that this arrangement is for the best in view of the whole situation."

A From the remarks of the Hauptsturmfuhrer Berg the authenticity of my testimony can be seen for as he says Standartenfuhrer Sievers could not report to me on this matter for he had not received any of the directives from Hirt. In any event, I always waited for the directive and report of Dr. Hirt. My own attitude in these matters was that I did not play any role whatsoever in this matter. As I have already mentioned in the interrogations before the Commission, I could not do anything to cause things or to prevent them.

Q You were the business manager in this scientific experiment in murder, weren't you? That was your function? You were a vital cog in the machine of this "Ahnenerbe"?

A It wasn't an essential part. As it may be seen from the Commission findings, " Ahnenerbe" comprised more than fifty branches and had large intentions in the line of research; and this was erected on a scientific basis. I considered myself

H0200 – 0042

with those matters in such a way that they were matters which in my opinion were unfortunate and were combined with those matters by Himmler. I played hardly any part in it at all. In vain did I try to prevent this connection.

Q You go as far as to admit that certain unfortunate matters did arise in connection with the work of the "Ahnenerbe", do you?

A I never disputed that in the past.

Q What was your connection with the experiments on human beings in connection with the poison gas or poisoned chemical "Lost", experiments on counter-agents for wounds caused by your preparation, Lost?

A Professor Hirt used that as a therapy treatment, a treatment of therapy for the curing of Lost damages. In the development of this method of therapy, he experimented on himself, an experiment which damaged his health, as can be seen from the documents submitted here now.

Q Did he experiment on anyone other than himself?

A I shall continue. Himmler was interested in these experiments and was quite excited when he heard that Hirt had done these experiments on his own person; and in this connection he referred to the third decree that in the case of experiments like that volunteers from inmates or criminals who had been sentenced to death should be chosen for these experiments. Then, thereupon, Hirt only at Himmler's request, conducted experiments, controlled experiments, on twenty persons. But when he had ascertained from his own experiments on his own person that lasting damages would not arise any longer, he further referred to the fact that it was much more important--and this was the first working contact with Hirt--that sufficient animals should be procured, for at the outbreak of the war the supply of experimental animals had been reduced in such a way that scientific experiments --

Q Just a moment, Witness. Can't you answer my questions

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without going into these lengthy speeches? Did you substitute human beings for animals for the purpose of these experiments?

A You mean in connection with Professor Hirt?

Q Certainly.

A Yes, I just said that after the experiments on his own person he experimented on twenty people who reported voluntarily for this experiment.

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Q Did you write to Brandt in connection with the Lost experiments, explaining certain difficulties that you were getting with the Natzweiler concentration camp?

A I don't have the document before me.

Q Don't worry yourself. Just try to answer my question. Don't wor whether you have the document before you. I appreciate it will be embarrass if it is found. Just answer my question. Did you write to Brandt in connection with these Lost experiments, describing difficulties you were havi from the concentration camp?

A I don't remember in particular which difficulties we were concerned with. It may be that I wrote him on this matter, yes.

Q Try to recollect what you wrote about in connection with these Lost experiments, will you?

A Well, I can mention only, as I have previously stated, that these things on the basis of remarks and reports came to me in that way, and I transmitted these things without being able to recall these matters in particular, because these were single and isolated cases among the mass and wealth of material in my work, so that details could no longer remain in my memory after this length of time.

Q I appreciate the mass of work you were involved in. I have four or five other experiments in murder to draw your attention to. But just look at the document No. 092, Page 19 of Your Lordship's Document Book, GB 58. That is a letter from Brandt to you. It is addressed to you, SS-Standarten Fuehre Sievers, the Ahnenerbe Society, dated 3 December 1942. "I have your note of 3 November 1942 again in front of me today. At the time I could only speak to SS-Obergruppenfuehrer Pohl very shortly. If I remember correctly, he ever sent me a letter informing me that he would have the deficiencies which you described taken care of, but I did not have time to enumerate them in detail. I had just received your letter the same morning on which I went to see SS-Obergruppenfuehrer Pohl. Therefore, it was impossible for me to read over it beforehand. I only remembered what you had told me during our last conversation. It if should be necessary for me to take this matter up again, will you please let me know." Now, what were those deficiencies which you ha

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described in your note to Pohl? Just try to remember them.

A I can't tell you what we were concerned with in particular here. Please show me the remark.

Q Can you not recall at all what the difficulty was? Was it connected with the payment for the prisoners to be experimented on?

A I don't recall that.

Q In any event, these experiments in connection with the Lost went on as far as April, 1944, didn't they?

A I can't tell you that from memory.

Q Try to recall. Didn't they go on until April 1944? Just look at Document No. 015. You are being totally uncooperative. That would be GB 581. That is another of your letters to the Reichsfuehrer-SS. On Page 6 of your Document Book, My Lord. To the Reichsfuehrer-SS Personal Staff Department A. It is dated the 11th of April, 1944. Top secret. It is from you to Brandt. Subject: Fuehrer's order of 1 March 1944.

"Dear Comrade Brandt, In accordance with orders, I got in touch with SS Brigadefuehrer Professor Dr. Brandt and informed him in Beelitz on the 31st March about the research work conducted by Hauptsturmfuehrer Professor Dr. Hirt. On this occasion I handed to him the plan for the treatment of L.-damage --" That is Lost damage, is it not, Witness?

A Yes.

Q "-- worked out by Professor Hirt, a copy of which I enclose for you for presentation to the Reichsfuehrer SS if the occasion should arise. Professor Brandt tells me that he will be in Strassburg in the first week in April and that he intends to discuss details with Professor Hirt then." Now, you say that these experiments on human beings with this poison Lost went on right through to 1944, didn't they?

A No, it isn't true that way. This letter may be traced to the following: Professor Brandt was made General Commissar for materials of combat. I received a copy of this report appointing him, with instructions that from now on, since his appointment had taken place, I should cause Hirt to talk with Brandt. Hirt told me that for that reason he could not travel to Mr. Brandt at Beelitz. Therefore, at the request of Hirt, I travelled to see Brandt.

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Q All right, Witness. I want to turn now to another aspect of your work, the Rascher experiments. You remember telling me that you had no insight into the Rascher experiments?

A I stated that in general I had the insight, but not in particular.

Q I want you to look now at your diary for the year 1944, the Ahnenerbe Document 3546 PS. It has already been marked Exhibit GB 551. Your Lordship will find a few extracts from it at Page 29 of the Document Book. Witness, I have made certain extracts from your diary, and it might be convenient for you to follow those extracts, and if you want to check them against your own diary, you will be able to do so. They show how in that year you were intimately connected with Rascher and all these other murderers. The first entry is for the 6 January, 1830 hours. SS Hauptsturmfuehrer Dr. Rascher. Paragraph (c) Letter from RFSS to Obergruppenfuehrer Pohl about assistance for scientific research work. Room for carrying through of freezing experiments. They were at Dachau, weren't they?

A Yes, they were to be carried through, but as I have already said in the Commission interrogations, they were not carried through. Here we deal with the notes about a conversation with Rascher in which he was reporting on these matters.

Q Witness, are you saying that the freezing experiments at Dachau were not carried through?

A Rascher told me that he would not be able to carry through this experiment, that they would have to be carried through in a locality where extreme temperatures were required, and these experiments did not take place.

Q But you actually saw some of these experiments yourself being carried out, didn't you, in Dachau? You werein Dachau from time to time?

A I am afraid that there is some confusion here between the freezing experiments by the Luftwaffe and the freezing experiments which were to be carried out later on because of freezing conditions in the East. Here in the year 1944 we are concerned with the experiments in freezing in connection with --

Q Which are the freezing experiments that you used to watch?

A I know only the freezing experiments carried on under the Luftwaffe.

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Q Did you see any of them being carried on?

A I had the order to accompany Professor Hirt who, together with Rascher, was to work on this problem so that a solution could be brought about and on this occasion I was present once.

Q Now we will go to the Document 3546 PS, a little further. I have selected some random entries from it to show your close association with this matter. "23 January, 1130 hours, Lecture to RFSS together with Obersturmfuehrer Dr. Brandt. 1. We shall receive the reports of Professor Schilli Now, Professor Schilling is the man who has been sentenced to death for his malaria experiments at Dachau, isn't he?

A Yes.

Q He was also part of your team of scientists, wasn't he?

A We had nothing to do with Schilling.

Q You only received his reports, that is all; was it?

A That was the first time that the work of Schilling was mentioned to me at all. And Himmler on this occasion at this meeting explained that Schilling had received immunity symptoms which attracted attention. This report was to be given to us so that the Entomology Institute could receive cognizance of the fact of these things that were being carried out under the leadership of Dr. Mai in malaria experiments on the anopheles mosquito.

Q We will go on to the next entry in the diary, the 28th of January. Your own diary has a daily entry of all the details, but here is another entry "Cooperation with Institute R, Dachau". That is Rascher's institute at Dachau is it not?

A Yes.

Q Then the 29th of January, "With Hauptsturmfuehrer Rascher and Dr. Pacholegg to Dahlem." Who was Dr. Pacholegg?

A Dr. Pacholegg was an inmate whom Rascher was using to work with him.

Q You knew him quite well yourself, I take it?

A I saw him perhaps two or three times.

Q He was present at some of the experiments that you watched, wasn't he?

A Here we are concerned with work for a certain material to stop

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bleeding --

Q Just answer my question. Dr. Pacholegg was present at some of the experiments which you watched, was he not?

A He was a co-worker of Rascher's. He worked with him. Whether he was there all the time, I don't know.

Q If you refuse to answer my question I shall not put it again. We will continue further in your diary. Second of February, CA-Work experiments. First pictures of living cancer cells. 21. Protectional vaccination for spotted fever by Professor Haagen. The protectional vaccination for spotted fever in Natzweiler goes on with good results.

Your Lordship, I have about half an hour of cross examination.

THE PRESIDENT: We will adjourn now.

(The Tribunal adjourned until 9 August 1946 at 1000 hours.)